

# **EXHIBIT B**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF ARIZONA

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4           \* \* \* \* \*

5           IN RE:   BARD IVC FILTERS       \* MDL NO.:  
6           PRODUCTS LIABILITY               \* MD-15-02641-PHX-DGC  
7           LITIGATION                       \*

8           \* \* \* \* \*

9                   DO NOT DISCLOSE - SUBJECT TO FURTHER  
10                   CONFIDENTIALITY REVIEW

11

12           VIDEOTAPED DEPOSITION OF PIOTR SOBIESZCZYK, M.D.

13                   NELSON MULLINS RILEY & SCARBOROUGH LLP

14                           One Post Office Square

15                           Boston, Massachusetts

16                           September 29, 2017       1:54 p.m.

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20                           Maryellen Coughlin, RPR/CRR

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1 A. Mm-hmm.

2 Q. On the second page. The first --  
3 I'm sorry. At the bottom. I might refer to  
4 numbers at the bottom for ease.

5 A. Mm-hmm.

6 Q. In the first paragraph it says,  
7 "The purpose of this expert review is to examine  
8 the clinical aspects of Ms. Booker's  
9 venothromboembolic disease and render an opinion  
10 regarding the impact of the Bard retrievable  
11 filter on her health after filter implantation."

12 Now what does that mean?

13 A. I was -- I reviewed her clinical  
14 case and rendered opinion as to what transpired,  
15 what happened to her and offered comment on her  
16 clinical condition before and after filter  
17 implantation.

18 Q. Well, as an example, you state  
19 several times in your report that there were  
20 opportunities to take the filter out.

21 Do you recall that?

22 A. I do.

23 Q. And I guess my question, following  
24 up on that intro paragraph is, are you planning  
25 on giving opinions at the time of trial that one

1 of the doctors, whether it's a radiologist or  
2 treating physician, was negligent or breached the  
3 standard of care in not taking the filter out?

4 A. I have not been asked to comment on  
5 whether standard of care was applied or not, and  
6 I don't intend to.

7 Q. So you're not going to come to  
8 trial and say, I think this doctor should have  
9 taken the filter out at this point and he's at  
10 fault for these injuries? We're not going to  
11 hear that?

12 A. I will -- that's not my intention.

13 Q. You're not and have not been asked  
14 to, nor have you looked at the standard of care  
15 for any of these other doctors in the position  
16 they were in to make determinations to whether  
17 they had breached the standard of care?

18 A. I have not been asked to do that.

19 Q. All right. You said you've placed  
20 and retrieved over 200 filters. I also read that  
21 within this.

22 A. I think that's a fair number. I  
23 don't know the exact number.

24 Q. Okay. Well, have you looked back  
25 and determined of the filters that you've placed,